

### REMARKS

Claims 1-40 are currently pending. With this response, claims 1-40 have been cancelled without prejudice, and have been replaced by new claims 41-53. Applicants reserve the right to pursue the subject matter of the cancelled claims in one or more related applications.

The Examiner required restriction under 37 C.F.R. § 1.499 to one of the following groups:

- Group I: Claim(s) 1-23, drawn to a method for preventing HIV infection through the administration of a synergistic combination of attachment and fusion inhibitors.
- Group II: Claim(s) 24-34, drawn to a composition comprising both attachment and fusion inhibitors.
- Group III: Claim(s) 35-38, drawn to a kit comprising attachment and fusion inhibitors in separate containers.
- Group IV: Claim(s) 39 and 40, drawn to a "communication" means for conveying information.

The Examiner has further restricted Groups I-III to a single combination of attachment and fusion inhibitor, as well as one specific other drug.

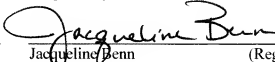
In order to be fully responsive, Applicant elects Group I, and specifically the subgenus "polypeptides" of claim 8, with traverse. The claimed invention relates to a method of inhibiting HIV-1 infection by exposing cells to a synergistic combination of an anti-CD4 antibody and an inhibitor of gp41 activity. It is unduly burdensome for the Examiner to require that the Applicant elect either an anti-gp41 antibody or a polypeptide of a given length for use in the claimed method. Both groups relate to proteins or polypeptides that bind to gp41 and inhibit its activity and therefore are not separate inventions. Furthermore, there would be no serious burden on the Examiner if restriction between the two subgenres presented in claim 8 were not required. Examination of claims encompassing both anti-gp41 antibodies and polypeptides that inhibit gp41 activity would not require a separate search of the art, nor would it require a different field of search as defined in MPEP 808.02. Therefore, as the subgenres are not separate inventions and examination of the two subgenres would not place a serious burden on the Examiner, the restriction is not proper.

Applicant fully reserves the right to prosecute the subject matter of any of the non-elected groups in one or more related applications.

Applicant respectfully requests that the above remarks be entered and made of record in the file history of the instant application.

Respectfully submitted,

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 43,492  
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Enclosure